

REC'D
FILED

01 DEC -5 PM 3:24

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

RECEIVED

DEC -7 2001

at _____ o'clock _____ M

CLERK OF COURTS
U.S. DISTRICT COURT, N.D.O.
AKRON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED
01 DEC 12 AM 10:21
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
AKRON

THE J. M. SMUCKER COMPANY

Plaintiff

v.

ALBIE'S FOODS, INC.

Defendant

Honorable Dan A. Polster ✓

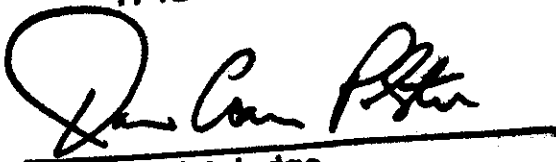
Magistrate Judge Gallas

Civil Action No. 5:01 CV 1182

AGREED DISMISSAL

By agreement of the parties after consultation with the Court, The J. M. Smucker Company hereby dismisses this action without prejudice.

IT IS SO ORDERED



U.S. District Judge
Northern District Court

12/12/01



Robert V. Vickers
Ohio Bar No. 0010722
VICKERS, DANIELS & YOUNG
50 Public Square - Suite 2000
Cleveland, Ohio 44113
Phone: (216) 623-0040
Fax: (216) 623-0407

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing AGREED DISMISSAL was served on Defendant, Albie's Foods, Inc., by first class mail, postage prepaid, this 5th day of December, 2001, to the attorneys for Defendant at the address below:

Kevin J. Heint
BROOKS & KUSHMAN P.C.
1000 Town Center
Twenty-Second Floor
Southfield, Michigan 48075



ROBERT V. VICKERS